IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WA.No. 1086 of 2007()

AGAINST THE JUDGEMENT IN WPC.14046/2006 Dated 14/02/2007
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APPELLANT:

HEMALATHA S,
U.D.TYPIST, GOVT.ENGINEERING COLLEGE,
BARTON HILL,THIRUVANANTHAPURAM.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR

RESPONDENTS:
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1. RANI SAMUEL, L.D.TYPIST,
GOVT. ENGINEERING COLLEGE, BARTON HILL,
THIRUVANANTHAPURAM.

2. REMA.L.S., L.D.TYPIST,
CONTROLLER OF TECHNICAL EXAMINATIONS,
KAIMANOM, THIRUVANANTHAPURAM.

3. STATE OF KERALA, REPRESENTED BY
THE PRINCIPAL SECRETARY, HIGHER EDUCATION
DEPARTMENT, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

4. THE DIRECTOR OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM.

BY ADV. DR.K.P.SATHEESAN FOR R1 & R2
GOVT. PLEADER SHRI. SANDESH RAJA FOR R3 & R4

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.Raman & Antony Dominic, JJ.

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W.A.No.1086 of 2007

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Dated this the 13th day of April, 2007.

JUDGMENT

Raman,J.

Appellant already preferred Ext.R3(c). The challenge was against Ext.P4 by which the appellant was promoted to higher category. Learned single Judge found that as far as seniority is concerned, the matter is governed by orders passed by the Government, whereby the inter district transfer can be permitted only after five years and a request transfer thereof will result in loss of seniority. Therefore, as the law stands today, the view taken by the learned single Judge cannot be faulted. However, the appellant points out that the Department itself has sought a reconsideration of Ext.R3 (c). According to the Government Pleader, as observed by the learned single judge the matter is pending consideration. In such circumstances, we clarify that the orders passed in the Writ Petition will not stand in the way of the Government considering Ext.R3(c) untrammelled by the observations made in the judgment.

P.R.Raman,
Judge.

Antony Dominic,
Judge.

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